



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

MONDAY, December 3, 2001

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly substitute amendment 1 to **Assembly Bill 252** offered by Representative Schooff.

Assembly amendment 2 to **Assembly Bill 258** offered by Representative Staskunas.

Assembly amendment 3 to **Assembly Bill 258** offered by Representative Staskunas.

Assembly substitute amendment 1 to **Assembly Bill 491** offered by Representative Stone.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 655

Relating to: testing of donors of human ova for the presence of human immunodeficiency virus; membership of the council on developmental disabilities; and changing the term used to describe a residential facility operated by a child welfare agency for the care and maintenance of children (suggested as remedial legislation by the department of health and family services).

By Law Revision Committee.
To committee on **Health**.

Assembly Bill 656

Relating to: cross-subsidization requirements public and service commission jurisdiction regarding telecommunications cooperatives.

By Representatives Freese, Gronemus, Ainsworth, Albers, Ladwig, Miller, Musser, Ott, Plouff, Sherman and Townsend; cosponsored by Senators Moen, Schultz and Erpenbach.

To joint committee on **Information Policy and Technology**.

Assembly Bill 657

Relating to: the time period for service of a responsive pleading.

By Representative Hoven; cosponsored by Senator George.
To committee on **Judiciary**.

Assembly Bill 658

Relating to: the capital gains income tax exclusion.

By Representatives Owens, F. Lasee, Ziegelbauer, Kedzie, Freese, Grothman, Kestell, Olsen, Albers, Seratti, Jensen, Ladwig, Gronemus, J. Fitzgerald, Jeskewitz, Gundrum, Sykora, Leibham, Petrowski and Stone; cosponsored by Senators Kanavas, Darling, Huelsman and Lazich.

To committee on **Ways and Means**.

To joint survey committee on **Tax Exemptions**.

Assembly Bill 659

Relating to: the removal of fishing shanties or similar shelters.

By Representatives Pettis, Gronemus, Musser, Krawczyk, Grothman, Sykora, Friske, Albers, Owens, McCormick, Johnsrud, Stone and Loeffelholz; cosponsored by Senator Darling.

To committee on **Natural Resources**.

Assembly Bill 660

Relating to: registration of antique snowmobiles.

By Representatives Pettis, Gronemus, Ryba, Johnsrud, Starzyk, McCormick, Musser, Lippert, Gunderson, Krawczyk, Olsen, Albers and Townsend.

To committee on **Tourism and Recreation**.

Assembly Bill 661

Relating to: possession with intent to use or use of drug paraphernalia and providing a penalty.

By Representatives Pettis, Suder, Krawczyk, Musser, Sykora, Bies, Freese and Ott; cosponsored by Senators Harsdorf, Darling and Roessler.

To committee on **Criminal Justice**.

Assembly Bill 662

Relating to: cross-subsidization requirements public and service commission jurisdiction regarding small telecommunications utilities.

By Representatives Pettis, Freese, Gronemus, Plouff, Hundertmark, Sykora, Townsend, Kedzie, Lippert, Hubler, Lassa, Loeffelholz, Musser, Sherman, Ott, Hines, Albers and

Ainsworth; cosponsored by Senators Jauch, Harsdorf, Hansen and Schultz.

To joint committee on **Information Policy and Technology**.

Assembly Bill 663

Relating to: expenditure of \$154,500 from the general fund in payment of a claim against the state made by Jack and Margot Raz.

By Representative Cullen.

To joint committee on **Finance**.

Assembly Bill 664

Relating to: the eligibility for expenditure restraint shared revenue payments.

By Representatives Leibham, Kestell, Duff, Staskunas, F. Lasee, Starzyk, Ainsworth, Petrowski, Gunderson, Plale, Jeskewitz, Hines, Hundertmark, Miller, Meyerhofer, Ryba, Townsend, Owens, Nass, Grothman, Lassa, Loeffelholz and Krawczyk; cosponsored by Senators Huelsman, S. Fitzgerald, Baumgart and Plache.

To committee on **State and Local Finance (Select)**.

Assembly Bill 665

Relating to: allowing certain school buses to tow trailers.

By Representatives Pettis, Musser, Krawczyk, Bies, Olsen and Townsend; cosponsored by Senator Harsdorf.

To committee on **Tourism and Recreation**.

Assembly Bill 666

Relating to: the administration of local exposition district taxes.

By Representative Foti; cosponsored by Senator Burke, by request of Wisconsin Center District Board.

To committee on **Ways and Means**.

Assembly Bill 667

Relating to: the intoxicated operation of an all-terrain vehicle, motorboat, or snowmobile.

By Joint Legislative Council.

To committee on **Tourism and Recreation**.

Assembly Bill 668

Relating to: safety training for all-terrain vehicle and motorboat operation.

By Joint Legislative Council.

To committee on **Tourism and Recreation**.

Assembly Bill 669

Relating to: requiring that personal flotation devices be worn by certain underaged persons in certain boats.

By Joint Legislative Council.

To committee on **Natural Resources**.

Assembly Bill 670

Relating to: intoxicated operation of a motor vehicle and providing a penalty.

By Joint Legislative Council.

To committee on **Highway Safety**.

CHIEF CLERK REPORTS

The Chief Clerk records:

- Assembly Bill 238**
- Assembly Bill 290**
- Assembly Bill 461**
- Assembly Bill 468**
- Assembly Bill 509**
- Assembly Bill 513**
- Assembly Bill 558**
- Assembly Bill 560**
- Assembly Bill 571**
- Assembly Bill 572**

Presented to the Governor on Thursday, November 29.

The Chief Clerk records:

- Assembly Bill 60**

Presented to the Governor on Friday, November 30.

JOHN A. SCOCOS
Assembly Chief Clerk

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

December 3, 2001

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 238	20	November 29, 2001
Assembly Bill 468	21	November 29, 2001
Assembly Bill 558	22	November 29, 2001
Assembly Bill 560	23	November 29, 2001
Assembly Bill 571	24	November 29, 2001
Assembly Bill 509	25	November 29, 2001
Assembly Bill 572	26	November 29, 2001
Assembly Bill 290	28	November 30, 2001
Assembly Bill 461	29	November 30, 2001
Assembly Bill 513	30	November 30, 2001
Assembly Bill 60	33	December 3, 2001

Respectfully submitted,
SCOTT MCCALLUM
Governor

COMMITTEE REPORTS

The joint committee for **Review of Administrative Rules** reports and recommends:

Assembly Clearinghouse Rule 00-164

Relating to wetland compensatory mitigation.

Nonconcurrency in the objection of the Assembly Committee on Environment:

Ayes: 7 – Representatives Seratti, Turner and Hebl; Senators Robson, Grobschmidt, Hansen and Cowles.

Noes: 3 – Representatives Grothman and Gunderson; Senator Welch.

GLENN GROTHMAN
Assembly Chairperson
Joint committee for Review of
Administrative Rules

SPEAKER'S APPOINTMENTS

November 19, 2001

The Honorable John Scocos
Assembly Chief Clerk
John.Scocos@legis.state.wi.us

Dear Chief Clerk:

Due to the vacancy created by the resignation of Representative Joan Wade and the subsequent special election of Representative J.A. Hines per §17.01(3) & 8.50(4) and Assembly Rules 3 & 9, I have made the following appointments effective when the oath of office is administered:

Vacancies Created and Filled:

Representative Hines to the Committee on Agriculture to fill the vacancy created by former Representative Wade;

Representative Hines to the Committee on Education to fill the vacancy created by former Representative Wade;

Representative Grothman to the Committee on Family Law to fill the vacancy created by former Representative Wade;

Representative Friske to the Committee on Personal Privacy to fill the vacancy created by former Representative Wade and create a vacancy in the Committee on Tourism;

Representative Hines to the Committee on Tourism to fill the vacancy created by Representative Friske;

Committees Expanded by Appointment:

Representative Hines to the Committee on Public Health;
Representative Hines to the Committee on Aging & Long-Term Care;

Representative La Fave to the Committee on Aging and Long-Term Care on the nomination of the Minority Leader;

Representative J. Lehman to the Committee on Public Health on the nomination of the Minority Leader.

Please publish this electronic document in the Assembly Journal complete with new rosters of the affected committees and serve notice of these appointments to the committee

members and interested parties. If you have any questions, please contact Adam Peer in my office.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

COMMUNICATIONS

November 19, 2001

Speaker Scott Jensen
State Assembly
211 West, State Capitol

Dear Speaker Jensen:

I wish to nominate Representative John Lehman to the Assembly Committee on Public Health.

Sincerely,
SPENCER BLACK
Assembly Minority Leader

November 19, 2001

Speaker Scott Jensen
State Assembly
211 West, State Capitol

Dear Speaker Jensen:

I wish to nominate Representative John La Fave to the Assembly Committee on Aging and Long-Term Care.

Sincerely,
SPENCER BLACK
Assembly Minority Leader

COMMITTEE APPOINTMENTS

Aging and Long-Term Care

Rhoades, Kitty (Chair)
Pettis, Mark (Vice-chair)
Hundertmark, Jean
Kedzie, Neal
Lippert, MaryAnn
Meyer, Dan
Hines, J.A.
Krusick, Peggy *
Carpenter, Tim
Travis, David
Wasserman, Sheldon
La Fave, John

Agriculture

Ott, Alvin (Chair)
Hahn, Eugene (Vice-chair)
Ainsworth, John
Petrowski, Jerry
Suder, Scott
Kestell, Steve
Loeffelholz, Gabe

Bies, Garey
Hines, J.A.
Gronemus, Barbara *
Plouff, Joe
Reynolds, Marty
Steinbrink, John
Lassa, Julie
Schneider, Marlin
Hubler, Mary

Meyer, Dan (Vice-chair)
Bies, Garey
Seratti, Lorraine
Pettis, Mark
Hines, J.A.
Reynolds, Marty *
Ryba, John
Steinbrink, John
Boyle, Frank

Education

Olsen, Luther (Chair)
Nass, Stephen (Vice-chair)
Hahn, Eugene
Hundertmark, Jean
Kestell, Steve
Loeffelholz, Gabe
Rhoades, Kitty
Townsend, John
Hines, J.A.
Lehman, John *
Sherman, Gary
Ziegelbauer, Bob
Sinicki, Christine
Williams, Polly
Riley, Antonio

Family Law

Owens, Carol (Chair)
Kestell, Steve (Vice-chair)
Friske, Donald
Grothman, Glenn
Berceau, Terese *
Krusick, Peggy

Personal Privacy

Powers, Michael (Chair)
Montgomery, Phil (Vice-chair)
Nass, Stephen
Owens, Carol
Friske, Donald
Sinicki, Christine *
Shilling, Jennifer
Schneider, Marlin

Public Health

Urban, Frank (Chair)
Lippert, MaryAnn (Vice-chair)
Freese, Stephen
Johnsrud, DuWayne
McCormick, Terri
Hines, J.A.
Carpenter, Tim *
Wasserman, Sheldon
Schneider, Marlin
Lehman, John

Tourism and Recreation

Skindrud, Richard (Chair)

REFERENCE BUREAU CORRECTIONS

Assembly Substitute Amendment 1 to **Assembly Bill 211**

1. Page 1, line 8: delete “exist” and substitute “exists”.

COMMUNICATIONS

State of Wisconsin
Revisor of Statutes Bureau
Madison

DATE: December 1, 2001

TO: John A. Scocos
Assembly Chief Clerk

Donald J. Schneider
Senate Chief Clerk

FROM: Gary L. Poulson
Deputy Revisor of Statutes

SUBJECT: Rules published in the November, 2001,
Wisconsin Administrative [Register, No. 551](#).

The following rules have been published:

Clearinghouse Rule 00-091	effective	12-1-2001
Clearinghouse Rule 00-112	effective	12-1-2001
Clearinghouse Rule 00-169	effective	12-1-2001
Clearinghouse Rule 01-007	effective	12-1-2001
Clearinghouse Rule 01-012	part. eff.	12-1-2001
	part. eff.	12-31-2001
Clearinghouse Rule 01-013	part. eff.	12-31-2001
	part. eff.	4-1-2001
Clearinghouse Rule 01-030	effective	12-1-2001
Clearinghouse Rule 01-038	effective	12-1-2001
Clearinghouse Rule 01-061	effective	12-1-2001
Clearinghouse Rule 01-063	effective	12-1-2001
Clearinghouse Rule 01-066	effective	12-1-2001
Clearinghouse Rule 01-070	effective	12-1-2001
Clearinghouse Rule 01-071	effective	12-1-2001
Clearinghouse Rule 01-084	effective	12-1-2001

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

November 20, 2001

To the Honorable, the Legislature:

Chapter 34, Laws of 1979, requires that when the Department of Administration maintains an office in Washington, DC, for the purpose of promoting federal/state cooperation, it should submit a report detailing the activities of the office and reporting the status of federal legislation of concern to the Legislature and other state agencies (Wis. Stats. 16.548(2)).

The report for the period July 2001, through September 2001, is attached.

Sincerely,
GEORGE LIGHTBOURN
Secretary

Referred to committee on **State Affairs**.

State of Wisconsin
Department of Administration
Madison

November 26, 2001

To the Honorable, the Legislature:

Included with this correspondence, I am submitting the report of the Department of Administration, Division of Gaming (Gaming), for the first quarter of fiscal year 2002 (July 1, 2001 through September 30, 2001). As required by s. 562.02(1)(g), Wis. Stats., the attached materials contain pari-mutuel wagering and racing statistical information, as well as the revenues for the program areas of Racing, Charitable Gaming and Indian Gaming. Bingo revenues are now captured in a new appropriation (836) and therefore are shown on a separate chart from the rest of Charitable Gaming.

Please note that the final day of racing at St. Croix Meadows was August 9, 2001. The track is now closed. If you have any questions or comments regarding this report, please do not hesitate to contact Richard Pedersen at (608) 270-2546.

Sincerely,
F. SCOTT SCEPANIAK
Administrator

Referred to committee on **State Affairs**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

November 29, 2001

To the Honorable, the Legislature:

At the request of the departments of Commerce and Administration, and to meet our audit responsibilities under s. 13.94, Wis. Stats., we have completed a financial audit of the State of Wisconsin Petroleum Inspection Fee Revenue Obligations Program for the period July 1, 2000 through June 30, 2001. We were able to express our unqualified opinion on the Program's Statement of Changes in Program Assets and related notes.

The Petroleum Inspection Fee Revenue Obligations Program provides financing for payment of claims under the Wisconsin Petroleum Environmental Cleanup Fund Award (PECFA) program. As of December 31, 1999, there was a backlog of \$196 million in approved but unpaid PECFA claims. To reduce this backlog, the Legislature, through [1999 Wisconsin Act 9](#), authorized the State to issue \$270 million of revenue obligations to be repaid by a \$0.03 per gallon fee charged suppliers for petroleum products sold in Wisconsin. These revenue obligations, which may include bonds, commercial paper, or other obligations, are not general obligations of the State.

Between March 2, 2000, when the Petroleum Inspection Fee Revenue Obligations Program started, and June 30, 2001, the State issued \$250.25 million of revenue obligations. Proceeds from the sale of this debt, along with petroleum inspection fees collected from suppliers in excess of debt service requirements, allowed the State to reduce the backlog and, as of June 30, 2001, there was a backlog of less than \$15 million in approved but unpaid PECFA claims.

However, the Department of Commerce continues to receive PECFA reimbursement claims and, as of June 30, 2001, it had not yet reviewed and approved over \$20 million in claims. In addition, the Department estimates that land owners have yet to submit claims for at least \$200 million for costs that they have already incurred. In order to provide funds to pay additional claims, the Legislature, through [2001 Wisconsin Act 16](#), authorized the issuance of \$72 million of additional revenue obligations. Based on this increased bonding authority, the State plans to issue \$30 million of additional Petroleum Inspection Revenue Bonds in December 2001.

We appreciate the courtesy and cooperation extended to us during the audit by staff of the departments of Commerce, Administration, and Revenue.

Respectfully submitted,
JANICE MUELLER
State Auditor